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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

JOSEPH BARRETT, CRAIG CUNNINGHAM, and ANDREW PERRONG, on behalf of themselves and others similarly situated, Plaintiffs, vs. VIVINT, INC., JOHN DOE CORPORATION d/b/a NATIONAL SOLAR PROGRAM, and DSI DISTRIBUTING, INC., d.b.a. DSI SYSTEMS, Defendants.	**DEFENDANT DSI DISTRIBUTING, INC.'S MOTION TO DISMISS AMENDED COMPLAINT OR TO STRIKE PLAINTIFFS' CLASS ALLEGATIONS** Civil No. 2:19-cv-00568-CW-CMR Judge Clark Waddoups Magistrate Judge Cecilia M. Romero **ORAL ARGUMENT REQUESTED**

Defendant DSI Distributing, Inc. ("DSI"), moves the Court pursuant to Fed. R. Civ. P. 12(b)(1), (b)(6), and (f), and 23(d) to dismiss the Amended Complaint in this case or, alternatively, to strike the pleading's class allegations.

As grounds for this motion, DSI incorporates by reference, pursuant to Local Rule 7-1(a)(4), the arguments and reasons set forth in the Motion to Dismiss Amended Complaint or to Strike Plaintiffs' Class Allegations and supporting memorandum filed by defendant Vivint, Inc. (Dkt. 29.) The arguments and reasons set forth therein for dismissing the pleading or striking the class allegations apply equally to DSI. DSI requests oral argument on this motion.

DATED this 5th day of November, 2019.

CHRISTIANSEN LAW, PLLC

By: _____/s/ Stephen K. Christiansen_____
       Stephen K. Christiansen
       Attorney for Defendant DSI Distributing, Inc.
       d.b.a. DSI Systems

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of November, 2019, I caused a true and correct copy of

the within and foregoing pleading to be served electronically upon all counsel of record via the

Court's CM/ECF system.

_____/s/ Stephen K. Christiansen_____

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